

UNITED STATES DISTRICT COURT
DISTRICT OF NEW HAMPSHIRE

William Soler Justice

v.

Case No. 20-cv-517-PB

Governor, NH, State of et. al.

ORDER

No objection having been filed, I herewith approve the Amended Report and Recommendation of Magistrate Judge Andrea K. Johnstone dated December 2, 2022, and dismiss claims 5, 6(a), 7, 8, 9, 12, and 14, for failure to state a claim upon which relief might be granted; dismiss claims 6(b), 10, 13, 15(f), and 15(g) without prejudice; and dismiss the following defendants identified in the complaint, as Mr. Justice has not stated any cognizable claim against them: Gov. Sununu, the DOC, the SPU, Commissioner Hanks, Director Mattis, Dr. Potenza, Dr. Martin, Ms. Robinson, Ms. Ferrier, Nurse Lombard, Nurse Gagne, CO Scott J. Marshall, the OPG, and Mr. VanGelder. “[O]nly those issues fairly raised by the objections to the magistrate's report are subject to review in the district court and those not preserved by such objection are precluded on appeal.” School Union No. 37 v. United Nat'l Ins. Co., 617 F.3d 554, 564 (1st Cir. 2010) (quoting Keating v. Secretary of Health & Human Servs., 848 F.2d 271, 275 (1st Cir.1988));

see also United States v. Valencia-Copete, 792 F.2d 4, 6 (1st Cir. 1986) (after proper notice, failure to file a specific objection to magistrate's report will waive the right to appeal).

/s/Paul Barbadoro
Paul J. Barbadoro
United States District Judge

Date: January 12, 2023

cc: William Soler Justice, pro se